

Remarks & Arguments

In the Office Action, the Examiner noted that Claims 18-37 are pending in the application, and that Claims 18-37 are rejected. By this amendment, Claims 18-22 and 27-33 have been amended and Claims 23-26 and 34-37 have been canceled without prejudice. Thus, Claims 18-22 and 27-33 are pending in the application. The amendments to the claims do not add new matter to the application. The Examiner's rejections are traversed below.

Rejections Under 35 USC 102 and 103

Claims 18-22 and 27-33 stand rejected under 35 USC 103(a) as being anticipated by Katz et al. (US 6,055,513) in view of Ladd et al. (US 6,269,336). Applicants respectfully maintain that that neither Katz, Ladd nor the combination thereof teach or suggest selecting a qualified voice character as a function of said user profile and a voice characteristic of said user and presenting said qualified content formatted in said qualified character to said user. As the Examiner has noted Ladd teaches a method and system for automatically selecting various dialog voice personalities, various speech recognition models and implementing various grammars to detect and respond to various inputs from the user. However, the Examiner fails to appreciate the difference between detecting and responding (e.g., getting the requested content) and presenting the content (e.g., formatting the content). Responding as used in the relied upon section of Ladd refers to the system getting content in response to the detected input (e.g., the input phase); it is not used to with reference to the system presenting the requested content to the

user (e.g., the output phase). In addition, the Applicants dispute the Examiner's assertion that Ladd teaches providing various voice personalities and implementing various grammars based on the user profile, the user's communication device, and/or the user's speech pattern. Contrary to the Examiner's assertion, Ladd only teaches "the communication node can automatically select various speech recognition models based upon a user profile, the user's communication device, and/or the user's speech patterns (column 6, lines 29-33). Accordingly, Applicants respectfully request that the Examiner reconsider his position. If the Examiner upon reconsideration finds the amended claims as filed on February 3, 2004 to be patentable, Applicants request that the present amendments not be entered and that a notice allowance based upon the claims as amended on February 3, 2004 be issued.

However, if the Examiner maintains his position, the present amendments render the rejection of Claims 18-22 and 27-33 moot. Claims 18 and 27 have been amended in light of the limitation found patentable by the Examiner in Applicants co-pending U.S. Patent Application 09/426,102, filed October 22, 1999, from which Claims 18-22 and 27-33 have been divided out of in response to a restriction requirement. Withdrawal of this rejection is therefore respectfully requested.

Conclusion

For all the reasons advanced above, Applicants respectfully submit that the present application is in condition for allowance and that action is earnestly solicited. The Examiner is

Appl. No. 09/513,236
Amdt. Dated June 2, 2004
Reply to Office Action of February 19, 2004

invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

The Commissioner is hereby authorized to charge any additional fees, which may be required for this amendment, or credit any overpayment, to Deposit Account 23-0085. In the event that an extension of time is required, or may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account 23-0085.

Respectfully submitted,

WAGNER, MURABITO & HAO, LLP

A handwritten signature in cursive script, appearing to read "Eric J. Gash", is written over a horizontal line.

Dated: June 2, 2004

Eric J. Gash
Registration No. 46,274
Tel.: (408) 938-9060